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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO;
AMERICAN FEDERATION OF STATE
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, et al.,

Plaintiffs,

v.
UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**REPLY DECLARATION OF MILANA
WALLS**

1 I, Milana Walls, declare as follows:

2 1. I am over 18 years of age and competent to give this declaration. This declaration is
3 based on my personal knowledge, information, and belief.

4 2. I am a Litigation Assistant at Altshuler Berzon LLP. I have worked for the Altshuler
5 Berzon LLP since June of 2024.

6 3. On February 25, 2025, the House Committee on Veterans Affairs posted a video of a
7 hearing entitled “Legislative Hearing on: H.R. 472, The Restore VA Accountability Act of 2025;
8 H.R. 1041, Veterans 2nd Amendment Protection Act; Discussion Draft: To amend title 38, United
9 States Code, to prohibit the Secretary of Veterans Affairs from transmitting certain information to the
10 Department of Justice for use by the national instant criminal background check system; H.R. 740,
11 Veterans’ ACCESS Act of 2025; and Discussion Draft: Student Veteran Benefit Restoration Act of
12 2025,” available at <https://veterans.house.gov/calendar/eventsingle.aspx?EventID=6650>. Altshuler
13 Berzon LLP retained the services of a Certified Shorthand Reporter to prepare a transcript of that
14 hearing. Excerpts of that transcript are attached hereto as **Exhibit A**.

15 4. For the purposes of this lawsuit, I visited the <https://www.chcoc.gov/transmittals>
16 website, which is an official website of the U.S. Government operated by the U.S. Office of
17 Personnel Management. According to the website: “The transmittal page allows users to search for
18 various OPM memorandums to Chief Human Capital Officers, HR Directors and Heads of Agencies.
19 Users can search by year and/or keyword.” On February 26, 2025, I downloaded the following
20 documents from that website:

- 21 • A February 4, 2025 memorandum re: Legality of Deferred Resignation Program, a
22 true and correct copy of which is attached hereto as **Exhibit B**.
- 23 • A February 24, 2025 memorandum re: Guidance on Government-wide email *What*
24 *did you do last week?*, a true and correct copy of which is attached hereto as
25 **Exhibit C**.

26 5. Attached as **Exhibit D** is a true and correct copy of the website
27 <https://www.opm.gov/fork/faq> as it appeared on OPM’s website on February 25, 2025.

1 6. I have also reviewed news articles related to the issues in this case. Because news on
 2 these topics is developing and websites are updated regularly, I attach true and correct copies of the
 3 following cited articles, as they appeared on February 26, 2025:

- 4 • **Exhibit E:** a Wired article titled *DOGE Is Working on Software That Automates the Firing*
 5 *of Government Workers*, available at <https://www.wired.com/story/doge-autorif-mass-firing-government-workers/>, and reading, in part:

7 Before the first round of probationary firings, Centers for Disease Control managers
 8 were tasked with marking workers they deemed as “mission critical” and then sending
 9 a list of them up the chain of command ahead of firings, a CDC source tells WIRED.

10 CDC went through a very, very deliberate effort to characterize our probationary
 11 employees as mission critical or not, and that way we could keep those that would
 12 have real impacts to the mission should they get terminated,” they say. “None of that
 13 was taken into account. They just sent us a list and said, ‘Terminate these employees
 14 effective immediately.’”

- 15 • **Exhibit F:** A New York Times Article, titled *Mass Federal Firings May Imperil Crops, Cattle and Pets*, available at https://www.nytimes.com/2025/02/26/science/trump-plant-animal-health.html?unlocked_article_code=1.z04.zY55.Z5q3i5sHyT5X&smid=nytcore-ios-share&referringSource=articleShare.

- 16 • **Exhibit G:** A Nevada Current Article, titled *More than a dozen NPS workers fired from Lake Mead as part of mass federal workforce purge*, available at
 17 <https://nevadacurrent.com/2025/02/25/more-than-a-dozen-nps-workers-fired-from-lake-mead-as-part-of-mass-federal-workforce-purge/>.

- 18 • **Exhibit H:** An AP article titled *Federal technology staffers resign rather than help Musk and DOGE*, available at <https://apnews.com/article/doge-firings-layoffs-federal-government-workers-musk-57671a76f22d5398a3c794e29e350082>, and a copy of the
 19 referenced resignation letter attached as **Exhibit I**, available at
 20 <https://www.documentcloud.org/documents/25544180-usds-resignation-letter/>.

1
2 Executed this 26th day of February in San Francisco, California.
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5 Milana Walls
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Exhibit A

HOUSE COMMITTEE
ON VETERANS' AFFAIRS
HEARING

FEBRUARY 25, 2025

EXCERPT OF HEARING

[Transcript begins at timestamp 38:00
and ends at timestamp 39:35.]

Transcribed by: Mary Ann Scanlan, CSR



Certified Shorthand Reporters
408 Columbus Avenue, Suite 2, San Francisco CA 94133
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1 CHAIRMAN BOST: I would like at this time
2 to welcome our first panel. If everyone would
3 please come to the front.

4 Testifying before us today we have
5 Ms. Beth Murphy, Acting Principal Deputy
6 Undersecretary for Benefits at the Veterans
7 Benefit Administration for the U.S. Department of
8 Affairs [sic].

9 She is accompanied by Ms. Tracey Therit --
10 is that correct -- Chief Human Capital Officer at
11 the Office of Human Resources and Administration
12 Operation, Security and Preparedness for the
13 Department of Veterans Affairs.

14 Does that fit on a business card? That's
15 pretty long.

16 And Dr. Sachin Yende and Chief Medical
17 Officer, Integrated Veterans Care at the Veterans
18 Health Administration for the -- at the
19 Department of Veterans Affairs.

20 I ask the witnesses to please stand and
21 raise their right hand.

22 Do you solemnly swear that the testimony
23 you're about to provide is the truth and the
24 whole truth and nothing but the truth?

25 (Inaudible responses.)

1 CHAIRMAN BOST: Thank you. And let the
2 record reflect that the witnesses have answered
3 in the affirmative.

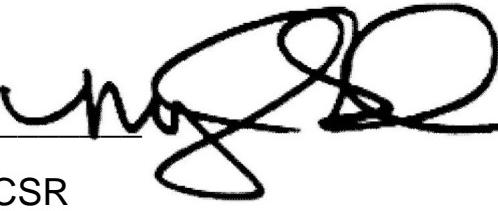
4 (End of excerpt.)
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2 CERTIFICATE OF REPORTER
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4 I, MARY ANN SCANLAN, hereby certify that
5 I transcribed an excerpt from the hearing of
6 the House Committee on Veterans' Affairs held
7 on February 25, 2025, as completely and
8 correctly to the best of my ability.

9 I further state that pages 1 through 4,
10 inclusive, constitute an accurate and complete
11 transcription of the video recording for the
12 proceedings specified.

13
14 Dated: February 25, 2025

15
16 
17 Mary Ann Scanlan, CSR

HOUSE COMMITTEE
ON VETERANS' AFFAIRS
HEARING

FEBRUARY 25, 2025

EXCERPT OF HEARING

[Transcript begins at timestamp 51:20
and ends at timestamp 57:10.]

Transcribed by: Mary Ann Scanlan, CSR



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1 CHAIRMAN BOST: With that, my time has
2 expired, and I yield to the ranking member for
3 his questions. Thank you.

4 RANKING MEMBER TAKANO: Thank you,
5 Mr.
Chairman.

6 Ms. Therit, your title at VA is Chief
7 Human Capital Officer; is that correct?

8 MS. THERIT: That is correct, Ranking
9 Member Takano.

10 RANKING MEMBER TAKANO: Thank you.

11 Can you tell me how many VA employees have
12 been terminated since January 20, 2025?

13 MS. THERIT: Approximately 1,400 employees
14 have been terminated during their probationary
15 period.

16 RANKING MEMBER TAKANO: Can you speak up?
17 I can't hear you too well.

18 MS. THERIT: Sorry. Ranking Member
19 Takano, approximately 1,400 employees have been
20 terminated during their probation period.

21 RANKING MEMBER TAKANO: Thank you for
22 that.

23 Who in your chain of command ordered you
24 to carry out these terminations?

25 MS. THERIT: Ranking Member Takano, I'm

1 happy to take questions about the termination of
2 employees during their probationary period for
3 the record. Today my focus is on the
4 legislation, the --

5 RANKING MEMBER TAKANO: Well, madam --

6 MS. THERIT: -- Restore Accountability
7 Act.

8 RANKING MEMBER TAKANO: -- madam, please
9 stop.

10 The Restore VA Accountability Act changes
11 the authorities the VA has to terminate
12 employees, right?

13 MS. THERIT: The Restore Accountability
14 Act --

15 RANKING MEMBER TAKANO: Just answer my
16 question. The Restore VA Accountability Act
17 changes the authorities VA has to terminate
18 employees, right?

19 MS. THERIT: Ranking Member Takano
20 (inaudible).

21 RANKING MEMBER TAKANO: I'm establishing
22 the germaneness of my question.

23 MS. THERIT: Understood.

24 RANKING MEMBER TAKANO: Please answer my
25 questions.

1 Who in the chain of your command ordered
2 you to carry out these terminations?

3 MS. THERIT: I used the authorities within
4 the Code of Federal Regulations (inaudible).

5 RANKING MEMBER TAKANO: So nobody ordered
6 you to carry out these terminations? You did it
7 on your own?

8 MS. THERIT: There was direction from the
9 Office of Personnel Management.

10 RANKING MEMBER TAKANO: So there was a
11 direction from -- so from the Office -- it's from
12 OPM that instructed you. Who in that office
13 instructed you?

14 MS. THERIT: Sir, I'm happy to take these
15 questions (inaudible).

16 RANKING MEMBER TAKANO: So you're refusing
17 to answer the question.

18 Were leaders in the VA offices that these
19 employees worked in notified prior or even after
20 their termination?

21 MS. THERIT: Sir, I'm happy to take
22 questions (inaudible).

23 RANKING MEMBER TAKANO: So you're
24 nonresponsive.

25 Many VA program officers still do not know

1 who from their ranks were terminated.

2 Was the decision to terminate these
3 employees made outside of VA?

4 MS. THERIT: Ranking Member Takano, I'm
5 happy to answer the questions for the record.

6 RANKING MEMBER TAKANO: For the record.
7 So you will answer it later is what you're
8 telling me?

9 MS. THERIT: I will, sir.

10 RANKING MEMBER TAKANO: Thank you.

11 How many VA employees did you terminate on
12 the night of February 13th, 2025?

13 MS. THERIT: Ranking Member Takano, as I
14 mentioned, approximately 1,400 employees have
15 been terminated during their probationary period.

16 RANKING MEMBER TAKANO: Okay. But you
17 can't tell me on February 13th, 2025?

18 MS. THERIT: I will provide that
19 information --

20 RANKING MEMBER TAKANO: Thank you.

21 MS. THERIT: -- for the record.

22 RANKING MEMBER TAKANO: How many -- how
23 many VA employees did you terminate yesterday?

24 MS. THERIT: Ranking Member Takano,
25 approximately 1,400 employees were terminated

1 during their probationary period. I can provide
2 the information requested for the record.

3 RANKING MEMBER TAKANO: Okay. Thank you.

4 I have a poster that shows the memo that
5 you wrote and sent to the employees that were
6 terminated.

7 Did you write and sign this memo?

8 MS. THERIT: Ranking Member Takano, that
9 is my signature on that letter.

10 RANKING MEMBER TAKANO: And you wrote and
11 signed the memo?

12 MS. THERIT: It is my signature on the
13 letter.

14 RANKING MEMBER TAKANO: Did you write
15 and -- did you write the memo?

16 MS. THERIT: The memo was provided.

17 RANKING MEMBER TAKANO: So you didn't
18 write it? It was provided to you by someone
19 else?

20 MS. THERIT: The memo was provided for my
21 signature.

22 RANKING MEMBER TAKANO: You're not going
23 to tell me who provided you with the memo?

24 MS. THERIT: Ranking Member Takano, I'm
25 happy to --

1 RANKING MEMBER TAKANO: But your name is
2 on the memo.

3 MS. THERIT: -- I am happy to take the
4 question for the record.

5 RANKING MEMBER TAKANO: Did you personally
6 determine and verify which probationary employees
7 to terminate?

8 MS. THERIT: Ranking Member Takano, I'm
9 happy to take that question for the record.

10 RANKING MEMBER TAKANO: Okay. So right
11 here you wrote that, based on this employee's
12 perform -- termination, that you based the --
13 this employee's termination on their performance.

14 Did you verify that each terminated
15 employee had been evaluated for their
16 performance?

17 MS. THERIT: Ranking Member Takano, I will
18 answer your questions for the record.

19 RANKING MEMBER TAKANO: All right. Did
20 you -- did every probationary employee who was
21 terminated have performance issues?

22 MS. THERIT: Ranking Member Takano, I'm
23 happy to answer your questions --

24 RANKING MEMBER TAKANO: So you can't
25 answer that question, though you sent this memo

1 out and it resulted in their termination?

2 MS. THERIT: At today's hearing I am
3 prepared to talk about the Restore --

4 RANKING MEMBER TAKANO: Okay.

5 MS. THERIT: -- Accountability Act.

6 RANKING MEMBER TAKANO: Ms. Therit, my
7 staff has now heard from many of the people who
8 were fired, and we know that many had stellar
9 performance records, which directly contradicts
10 the memo you sent out.

11 Did you do your due diligence before you
12 sent this memo our and assure yourself that
13 everything in this memo was true?

14 MS. THERIT: Ranking Member Takano, I'm
15 happy to take your questions for the record.

16 RANKING MEMBER TAKANO: So you just sent
17 this memo out and whether or not -- you're going
18 to fire an employee based on their performance,
19 but you didn't do the due diligence yourself to
20 make sure that this memo was true?

21 MS. THERIT: I am happy to take the
22 question and provide that information --

23 RANKING MEMBER TAKANO: So the answer is
24 no.

25 MS. THERIT: -- for the record.

1 RANKING MEMBER TAKANO: It's not just that
2 you're happy to take my question.

3 The Acting U.S. Attorney in New York
4 decided that she would resign before engaging in
5 a quid pro quo that violated the oath she took.

6 Did you take an oath to the office -- to
7 do the job you're doing now?

8 MS. THERIT: Ranking Member Takano, every
9 federal employee --

10 RANKING MEMBER TAKANO: Okay. Thank you.

11 MS. THERIT: -- takes an oath when they
12 enter (inaudible).

13 RANKING MEMBER TAKANO: So yes. The
14 answer is yes.

15 Do you believe that terminating these
16 employees and lying about the reason why was a
17 violation of that oath?

18 MS. THERIT: Ranking Member Takano, I am
19 supporting the decision that was made.

20 RANKING MEMBER TAKANO: So you support a
21 decision and you sent out memos without knowing
22 whether or not their performance actually
23 justified their termination?

24 MS. THERIT: Ranking Member Takano, I'm
25 happy to answer questions --

1 RANKING MEMBER TAKANO: So, madam --

2 MS. THERIT: -- regarding termination --

3 RANKING MEMBER TAKANO: -- at what point
4 would you resign rather than follow an
5 instruction from a superior?

6 MS. THERIT: Ranking Member Takano --

7 RANKING MEMBER TAKANO: Does it not weigh
8 on your conscience that somebody's livelihood was
9 terminated, and you didn't do the due diligence
10 to find out whether this memo was in fact true?

11 MS. THERIT: Ranking Member Takano, if any
12 employee is concerned about --

13 RANKING MEMBER TAKANO: Just look at the
14 veterans that are sitting behind you, ma'am. You
15 fired these people.

16 CHAIRMAN BOST: The gentleman's time has
17 expired.

18 (End of excerpt.)

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2 CERTIFICATE OF REPORTER

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4 I, MARY ANN SCANLAN, hereby certify that

5 I transcribed an excerpt from the hearing of
6 the House Committee on Veterans' Affairs held
7 on February 25, 2025, as completely and
8 correctly to the best of my ability.

9 I further state that pages 1 through 11,
10 inclusive, constitute an accurate and complete
11 transcription of the video recording for the
12 proceedings specified.

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Dated: February 25, 2025

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Mary Ann Scanlan, CSR

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Exhibit B



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies

FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management
Andrew Kloster, General Counsel, U.S. Office of Personnel Management

DATE: February 4, 2025

RE: Legality of Deferred Resignation Program

On Tuesday, January 28, 2025, the U.S. Office of Personnel Management (“OPM”) sent an email to federal employees presenting a [deferred resignation offer](#). It allows eligible employees an eight-month transition period—through September 30, 2025—during which they will generally not be expected to work and may look for another job. Eligible employees who accept the deferred resignation offer will also be exempt from any reductions-in-force that are planned for the federal workforce.¹

In addition, an employee who resigns under this program will retain all pay and benefits regardless of their daily workload and will be exempted from all applicable in-person work requirements until September 30, 2025 (or earlier if the employee chooses to accelerate their resignation for any reason). Employees may also be eligible for early retirement under the Voluntary Early Retirement Authority (VERA). The offer is open between January 28, 2025, and February 6, 2025.

The deferred resignation offer has generated considerable scrutiny and numerous questions from interested employees. The program has also been subject to various legal critiques. This memorandum explains why concerns regarding the program’s legality are misplaced and offers clarifying guidance on certain aspects of the plan.

Is the Offer Legally Binding?

The deferred resignation program offers employees who opt into the program an exemption from any return-to-work requirements and full pay and benefits regardless of workload, with the expectation that most employees will transition their duties and be placed on administrative leave for the bulk of the deferred resignation period. Those assurances are binding on the government.

¹ Frequently asked questions about the deferred resignation offer are found here: [Frequently Asked Questions](#).

Were the government to backtrack on its commitments, an employee would be entitled to request a rescission of his or her resignation.²

In addition, to assuage any concerns about enforceability, OPM has circulated a template contract to agencies that can be used to document employee resignations and formalize the government's agreement to abide by the terms of the deferred resignation program. Separation agreements entered into between an agency and its employees are legally binding.³

Is Congressional Approval Required?

Nothing in the deferred resignation program requires congressional approval. The program offers employees an exemption from return-to-work requirements and, in most cases, a significantly reduced workload during the deferred resignation period. Under the program, employees remain in duty status entitled to their regular pay and benefits. The program does not promise employees additional compensation that might require special congressional appropriations.

An employee who has chosen to participate in the deferred resignation program will not be placed at a disadvantage compared to other employees if congressional appropriations lapse. In the event of a partial or complete government shutdown, payments to *all* affected employees (regardless of whether they accepted the deferred resignation offer) would be temporarily paused. Upon passage of another appropriations bill, however, affected employees would be eligible for retroactive pay “at the earliest date possible” under the Government Employee Fair Treatment Act of 2019.⁴

Nor would a shutdown impact the non-pay aspects of the deferred resignation program. Even if an employee’s job duties would generally require him or her to work during a shutdown, an “agency may allow an excepted employee to be off duty during periods when the employee was previously scheduled to be on paid leave,” including administrative leave.⁵

May an Employee Be Placed on Administrative Leave During the Deferred Resignation Period?

Yes. The decision to grant administrative leave, and for how long, lies largely within the agency’s discretion.⁶ A statute governing administrative leave states that, “[d]uring any calendar

² See *Terban v. Dep’t of Energy*, 216 F.3d 1021, 1024 (Fed. Cir. 2000) (holding that resignations are deemed involuntary if they are “the product of misinformation or deception by the agency”).

³ See *Green v. GSA*, 220 F.3d 1313, 1317 (Fed. Cir. 2000) (enforcing “a term of the separation agreements” between an employee and his employing agency).

⁴ 31 U.S.C. § 1341(c)(2).

⁵ OPM, *Guidance for Shutdown Furloughs*, at 10 (Dec. 2021).

⁶ See 89 Fed. Reg. 102256, 102257 (Dec. 17, 2024) (“Federal agencies have the discretion to grant paid administrative leave to employees to help manage their workforces when it is in their best interest to do so.”) (citation omitted).

year, an agency may place an employee in administrative leave for a period of not more than a total of 10 work days.”⁷ But binding regulations promulgated by OPM have interpreted that limitation to apply only to a “management-initiated action to put an employee in administrative leave status, with or without the employee’s consent, for the purpose of conducting an investigation.”⁸ The ten-day rule therefore poses no bar to the extended administrative leave contemplated by the deferred resignation program. And the regulations authorize administrative leave when, as here, the “absence is officially sponsored or sanctioned by the agency.”⁹

May an Employee Get a Second Job During the Deferred Resignation Period?

Extended administrative leave frees an employee to obtain a second job. In doing so, employees must comply with the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR part 2635 and other applicable federal laws, as well as any agency-specific regulations. The ethical standards, among other things, provide that “[e]mployees shall not engage in outside employment or activities . . . that conflict with official Government duties and responsibilities.”¹⁰ By minimizing an employee’s job duties and limiting the number of matters in which he or she is involved, administrative leave reduces the potential for conflicts with any outside employment.

Does the Deferred Resignation Email Comply with Privacy Rules?

Yes. OPM was authorized to send the email announcing the deferred resignation program by its broad authority to oversee the federal workforce.¹¹ OPM is authorized to store employee responses under existing systems of records, including systems encompassing personnel records and correspondence to and from the agency.¹² And the deferred resignation offer explicitly provides that, by responding to the email, employees consent to their resignations being shared with their employing agencies. The Privacy Act of 1974 authorizes disclosure of personally identifiable information “with the prior written consent of [] the individual to whom the record pertains.”¹³

Employees’ resignations are stored on secure government systems at OPM. Although the E-Government Act of 2002 requires agencies to conduct a Privacy Impact Assessment when developing certain information technology systems, no such assessment was required here.

⁷ 5 U.S.C. § 6329a.

⁸ 5 C.F.R. § 630.1404(a).

⁹ 5 C.F.R. § 630.1403(a)(1)(iv).

¹⁰ 5 C.F.R. 2635.101(b)(10); *see* 5 C.F.R. 2635.606(a) (providing that an “employee may not participate personally and substantially in a particular matter that, to the employee’s knowledge, has a direct and predictable effect on the financial interests of the person by whom the employee is employed”).

¹¹ *See, e.g.*, Executive Order 9830 and 5 U.S.C. 1103, 1104, 2951.

¹² *See* 88 Fed. Reg. 56058 (Aug. 17, 2023); 80 Fed. Reg. 72455 (Nov. 19, 2015).

¹³ 5 U.S.C. § 552a(b).

Longstanding OMB and OPM guidance expressly provide that Privacy Impact Assessments are unnecessary when a system collects information exclusively from government employees, not from the public.¹⁴

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff.

Attachment 1- Template Deferred Resignation Agreement

¹⁴ See OMB, *Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002*, M-03-22, at 5 & n.6 (Sept. 2003); OPM, *Privacy Impact Assessment Guide*, at 2 (Apr. 2010).

Appendix 1- Template Deferred Resignation Agreement**Deferred Resignation Agreement**

This agreement is between [AGENCY] and the Employee identified below.

WHEREAS, on or about January 28, 2025, OPM circulated a memorandum to all [AGENCY] employees (Fork in the Road Memo) offering them a voluntary deferred resignation option. The offer allows those employees who accept the offer by February 6, 2025 to retain all pay and benefits and exempts them from all applicable in-person work requirements until September 30, 2025, or earlier if they choose to accelerate the resignation date for any reason (Deferred Resignation Program); and

WHEREAS, [AGENCY] has received Employee's voluntary request to be included in the Deferred Resignation Program; and

WHEREAS, [AGENCY] accepts Employee's request to be included in the Deferred Resignation Program; and

WHEREAS, the parties wish to express the terms and conditions of the agreement between the parties concerning Employee's participation in the Deferred Resignation Program.

WHEREFORE, the parties hereto agree as follows:

1. Employee is accepted into the Deferred Resignation Program.
2. Employee agrees to continue working through [February 28, 2025], in an effort to ensure a smooth transition of Employee's duties, responsibilities and work assignments to other staff. Employee is exempt from all in-person work requirements. Employee agrees to turn in all [AGENCY] equipment and property on or before [February 28, 2025], as directed by Employee's supervisor.
3. Employee shall be placed on paid administrative leave no later than [March 1, 2025]. Employee shall remain on paid administrative leave up through and including September 30, 2025, or such earlier date on which Employee may choose to resign or otherwise separate from federal service (deferred resignation period). During the deferred resignation period, [AGENCY] shall continue to pay Employee's current salary and Employee shall continue to retain and receive all benefits of Employee's federal employment, including but not limited to TSP contributions, health, dental, vision and/or any other similar benefits, with [AGENCY] making the government's contribution. Employee will continue to accrue annual and sick leave during the deferred resignation period. Employee will receive retirement service credit during the deferred resignation period. If Employee becomes eligible for a within-grade increase during the deferred resignation period, [AGENCY] shall process the within-grade increase and Employee shall receive the associated salary increase.

4. Employee shall not be expected to work during the deferred resignation period except in rare circumstances as determined by [AGENCY].
5. Employee agrees that Employee's effective resignation date from [AGENCY], and separation from federal service, shall be September 30, 2025. Employee, however, may resign from the federal service on any date prior to September 30, 2025. [AGENCY] shall not take steps to terminate Employee's employment with the federal service prior to September 30, 2025, except where Employee is convicted of a felony crime that would render Employee ineligible for Federal employment.
6. Employee will receive a lump sum payment of accrued annual leave in accordance with 5 CFR part 550 upon separation from service.
7. Nothing in this agreement prevents Employee from retiring from federal service at any time if Employee is eligible to do so under the applicable provisions of CSRS or FERS. If Employee is eligible and elects to retire before September 30, 2025, Employee's retirement election shall override any benefits that would be available to Employee under this agreement after the effective date of Employee's retirement. Employee understands that Employee is responsible for submitting a CSRS or FERS application.
8. Nothing in this agreement prevents Employee from retiring from federal service on or before [INSERT VERA END DATE] if Employee is eligible to do so under the Voluntary Early Retirement Authority (VERA). If Employee is eligible and elects to retire under VERA, Employee's retirement election shall override any benefits that would be available to Employee under this agreement after the effective date of Employee's retirement. Employee understands that Employee is responsible for submitting a VERA application.
9. Employee may accept non-federal employment during the deferred resignation period provided it does not violate the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR part 2635 or other applicable federal laws, or any supplemental Standards of Ethical Conduct for Employees or regulations of [AGENCY].
10. By signing this agreement, the parties acknowledge that they have entered the agreement knowingly, voluntarily, and free from improper influence, coercion, or duress. Employee understands that, except as provided in paragraph 14 applicable to Employees 40 years of age or older, this agreement cannot be rescinded, except in the sole discretion of the [AGENCY HEAD], which shall not be subject to review at the Merit Systems Protection Board (MSPB) or any other forum, and waives all rights to challenge the resignation before the MSPB or any other forum.
11. Employee acknowledges that [AGENCY], in conjunction with other federal departments, agencies and units, will immediately rely on the terms of this agreement in consolidating and reassigning roles and otherwise taking steps to reform the agency workforce. Consequently, Employee understands that this agreement is final and Employee's decision to resign effective September 30, 2025, unless Employee resigns or retires earlier as set forth above, is final. [AGENCY] shall comply with all terms of this agreement even if Employee's position is

eliminated or reassigned prior to September 30, 2025. Employee shall not be subject to furlough, termination, reduction in force or layoff as a result of an OPM or federal government reorganization or reduction in force. Employee agrees to cooperate with steps taken by [AGENCY] (such as reassignment to a different component) to exempt Employee from any reduction in force.

12. If there is a lapse in appropriations during the term of this agreement that requires Employee to be placed on furlough status, Employee shall be placed on furlough status during the lapse. Once the lapse is over, Employee shall be taken off furlough and shall receive back pay consistent with the Government Employee Fair Treatment Act of 2019.
13. Employee forever waives, and will not pursue through any judicial, administrative, or other process, any action against [AGENCY] that is based on, arising from, or related to Employee's employment at [AGENCY] or the deferred resignation offer, including any and all claims that were or could have been brought concerning said matters. This waiver includes all claims Employee may have under the Age Discrimination in Employment Act. Employee unconditionally releases [AGENCY] and its present and former employees, officers, agents, representatives, and all persons acting by, through, or in concert with any of those individuals, either in their official or individual capacities, from any and all liability based on, arising from, or relating to the matters that Employee may have against them, including any and all claims that were or could have been brought. Consistent with applicable law, Employee similarly waives any claim that could be brought on Employee's behalf by another entity, including Employee's labor union.
14. If 40 years of age or older, Employee understands that they are entitled to rights and benefits under the Age Discrimination in Employment Act and Older Workers Benefit Protection Act (OWBPA). The parties acknowledge that the Employee has preserved and/or executed the following rights and responsibilities:
 - a. The Employee has reviewed the entire agreement and understands its provisions;
 - b. The Employee has not waived any ADEA or OWBPA rights or claims that may arise after the date this agreement is signed;
 - c. The Employee has the right to consult with an attorney prior to signing this Agreement;
 - d. Federal law provides that the Employee may have 45 days from receipt of this Agreement to review and consider this Agreement before signing it;
 - e. Federal law further provides that the Employee may revoke this Agreement within seven days after signing and delivering the Agreement to the Agency; the Agreement is not effective and enforceable until this seven-day revocation period has passed; and
 - f. Having been informed of these rights and after an opportunity to consult with an attorney, the Employee hereby waives these rights.
15. [AGENCY] agrees to waive any debt owed by Employee to [AGENCY] pursuant to a recruitment incentive, student loan repayment, or other service agreement. [AGENCY] also agrees to waive any remaining service requirements from taking paid parental leave.

16. Should Employee become subject to military orders during the deferred resignation period, then any laws, rules, or other guidance applicable to the Employee as a servicemember that are inconsistent with provisions of this agreement shall supersede the inconsistent terms of this agreement.
17. In case any provision of this shall agreement be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

ON BEHALF OF [AGENCY]:

[NAME, TITLE]

EMPLOYEE

[NAME, TITLE]

Exhibit C



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies

FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management

DATE: February 24, 2025

RE: Guidance on Government-wide email *What did you do last week?*

The U.S. Office of Personnel Management (“OPM”) recently sent the following email to all Executive Branch employees from hr@opm.gov:

Subject: What did you do last week?

Please reply to this email with approx. 5 bullets of what you accomplished last week and cc your manager.

Please **do not send** any classified information, links, or attachments.

Deadline is this Monday at 11:59 p.m. EST.

Responses to this email should be directed to agency leadership, with a copy to OPM at hr@opm.gov. Agencies should review responses and evaluate nonresponses, considering such factors as whether the employee was on excused leave on Monday, February 24, 2025 or had access to email on that date. Employees on approved leave on February 24, or who lacked access to email, are not expected to respond by the deadline. Agency heads may exclude personnel from this expectation at their discretion and should inform OPM of the categories of the employees excluded and reasons for exclusion.

Agencies should consider whether the expectation for employees to submit activity and/or accomplishment bullets should be integrated into the agency’s Weekly Activity Report or future required organizational activity reporting in order provide an enterprise-wide view of workforce achievements and organizational trends. Furthermore, agencies should consider any appropriate actions regarding employees who fail to respond to activity/accomplishment requests. It is agency leadership’s decision as to what actions are taken.

At Counsel’s direction, in order to comport with the Presidential Records Act, the Executive Office of the President is exempted from this exercise.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff

Exhibit D



U.S. Office of
Personnel Management

Frequently Asked Questions

[OPM.gov](#) / [Fork](#) / [FAQ](#) /

FREQUENTLY ASKED QUESTIONS

Am I expected to work at my government job during the deferred resignation period?

No.

Am I allowed to get a second job during the deferred resignation period?

Absolutely! We encourage you to find a job in the private sector as soon as you would like to do so. The way to greater American prosperity is encouraging people to move from lower productivity jobs in the public sector to higher productivity jobs in the private sector.

Will I really get my full pay and benefits during the entire period through September 30, even if I get a second job?

Yes. You will also continue to accrue annual leave and sick leave during the deferred resignation period until you separate. You will be paid a lump sum for accrued but unused annual leave upon separation.

Can I take an extended vacation while on administrative leave?

You are most welcome to stay at home and relax or to travel to your dream destination. Whatever you would like.

The current funding bill for the federal government expires on March 14. Will I still receive full pay and benefits if the money runs out?

Any government shutdown could potentially affect an employee's pay **regardless** of whether he or she has accepted the deferred resignation offer. Moreover, if you accept the deferred resignation offer, you would still be entitled to backpay under the Government Employee Fair Treatment Act of 2019. See 31 U.S.C. 1341(c)(2).

Does my agency have VERA for employees who opt to take the deferred resignation offer?

Yes. Employees who are eligible for the deferred resignation offer and are at least age 50 with at least 20 years creditable Federal service, or any age with at least 25 years creditable Federal service are eligible for VERA along with the deferred resignation offer (unless your position is exempted from the deferred resignation program by your agency).

If I am eligible for early/normal retirement during the deferred resignation period (i.e., before September 30, 2025), will I be able to accept deferred resignation and still accept retirement during the deferred resignation period?

Yes. You will continue to accrue retirement benefits during the deferred resignation period. Should you elect to retire (either early retirement or normal retirement) before your final resignation date, your retirement election will override the deferred resignation.

I am scheduled to retire soon after September 30, 2025. Can I take advantage of the deferred resignation program?

If your retirement date is between October 1, 2025 and December 31, 2025, you are still eligible for deferred resignation (unless your position is exempted from the deferred resignation program by your agency). If your retirement date is within this window, your deferred resignation date will be extended to match your retirement date.

Will employees receive retirement service credit during the deferred resignation period?

Yes. Employees will continue to receive retirement service credit until their separation date.

How can I make it clear that I would like to resign AND retire (not just resign)?

You are welcome to type “resign and retire” into the reply email, but it is not required. If you simply write “resign,” and you are eligible for retirement on or before December 31, 2025, we will process your separation as of September 30, 2025, **OR** your approved separation date. If retiring, you will additionally need to submit a retirement application for processing in accordance with applicable law at some point prior to your retirement date (though it’s not necessary to do so before February 10). For information on retirement, please visit [OPM’s Retirement Center webpage](#) or contact your agency’s human resources office.

Why am I being offered deferred resignation?

The federal workforce is expected to undergo significant near-term changes. As a result of these changes (or for other reasons), you may wish to depart the federal government on terms that provide you with sufficient time and economic security to plan for your future.

Who is eligible for deferred resignation?

Deferred resignation is available to all full-time federal employees except for military personnel of the armed forces, employees of the U.S. Postal Service, those in positions related to immigration enforcement and national security, those in positions related to public safety, and those in other positions specifically excluded by your employing agency.

What do I do if I did not receive the deferred resignation email?

Visit the OPM website where you can review the email and find instructions for submitting your acceptance of the deferred resignation offer.

What happens if I do not respond to the email or accept deferred resignation?

Nothing. You have no obligation to respond to the email. Accepting deferred resignation is in your sole discretion and is completely voluntary.

What if I decide after the program closes that I would like to accept the deferred resignation offer?

Deferred resignation will generally not be available to those who resign after the program closes. Certain exceptions might be made for employees who were on approved absence for some or all of the period while the program was open.

What happens if I accept the deferred resignation offer and later change my mind about resigning?

Employees have the right to request a rescission of their resignation at any time and the employing agency will need to review such rescission requests. As noted in the deferred resignation letter, it is the objective of the program to move quickly to consolidate and/or reassign roles and in many cases place employees on administrative leave which would likely serve as a valid reason to deny rescission requests.

What happens if I was on approved leave during some or all of the period while the program was open?

If you missed the program deadline due to approved absence for some or all of the period while the program was open, you are entitled to request an extension. Employing agencies may grant reasonable extensions.

Am I permitted to accelerate my resignation date to earlier than September 30, 2025?

Yes, you may unilaterally accelerate your final resignation date for any reason.

Am I permitted to extend my final resignation date?

The terms of the deferred resignation letter do not allow for an extension of the final resignation date. There is a narrow possible exception for employees with impending retirement dates. Consult your agency's human resources team for more information.

How will I know my resignation has been received and accepted?

You will receive an email confirming receipt with additional information on next steps. Given the volume of emails, this confirmation email may take up to 72 hours. You should retain the record of your resignation email.

Is there a formal agreement I can sign with my agency reflecting the terms of this offer?

Yes. If you are eligible for the deferred resignation program and accept it, your agency can execute paperwork reflecting all the terms.

Can I return to work in the federal government?

Deferred resignation does not affect your ability to apply to work for the federal government in the future.

Does the deferred resignation program comply with all records and privacy laws?

Yes. The deferred resignation program uses only basic contact information about federal employees, like name and government email address, along with short, voluntary email responses. That information is stored on secure government systems. To the extent the Privacy Act applies, all information relevant to the program is covered by existing OPM System of Records Notices.

Exhibit E

Give WIRED.

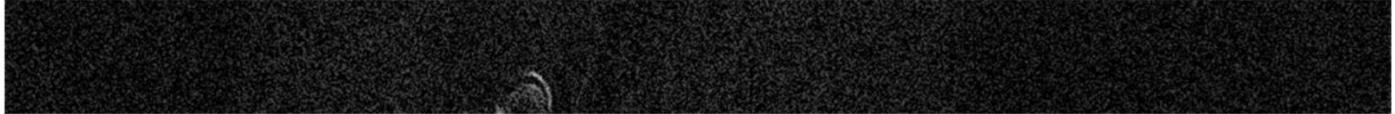
GIVE A GIFT

MAKENA KELLY POLITICS FEB 25, 2025 12:02 PM

DOGE Is Working on Software That Automates the Firing of Government Workers

Operatives working for Elon Musk's DOGE appear to be editing the code of AutoRIF—software designed by the Defense Department that could assist in mass firings of federal workers, sources tell WIRED.





PHOTOGRAPH: AARON SCHWARTZ/GETTY IMAGES

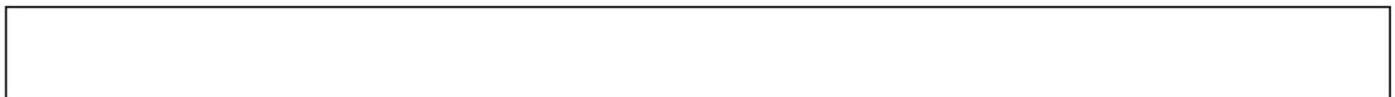


Engineers for Elon Musk's so-called Department of Government Efficiency, or DOGE, are working on new software that could assist mass firings of federal workers across government, sources tell WIRED.

The software, called AutoRIF, which stands for Automated Reduction in Force, was first developed by the Department of Defense more than two decades ago. Since then, it's been updated several times and used by a variety of agencies to expedite reductions in workforce. Screenshots of internal databases reviewed by WIRED show that DOGE operatives have accessed AutoRIF and appear to be editing its code. There is a repository in the Office of Personnel Management's (OPM) enterprise GitHub system titled "autorif" in a space created specifically for the director's office—where Musk associates have taken charge—soon after Trump took office. Changes were made as recently as this weekend.

Politics Lab Newsletter by Makena Kelly

Not your average politics newsletter. Makena Kelly and the WIRED Politics team help you make sense of how the internet is shaping our political reality.



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So far, federal agency firings have been conducted manually, with HR officials combing through employee registries and lists provided by managers, sources tell WIRED. Probationary employees—those who were recently hired, promoted, or

otherwise changed roles—have been targeted first, as they lack certain civil service protections that would make them harder to fire. Thousands of workers have been terminated over the last few weeks across multiple agencies. With new software and the use of AI, some government employees fear that large-scale terminations could roll out even more quickly.

While DOGE could use AutoRIF as the DOD built it, multiple OPM sources speculated that the Musk-affiliated engineers could be building their own software on top of, or using code from, AutoRIF. In screenshots viewed by WIRED, Riccardo Biasini, a former engineer at Tesla and a director at The Boring Company, has seemingly been tasked with pruning AutoRIF on GitHub, with his name attached to the repository. “Remove obsolete versions of autorif,” one file description authored by a user with Biasini’s username on GitHub says.

Biasini has also been listed as the main point of contact for the government-wide email system created by the Trump administration from within OPM to solicit resignation emails from federal workers.

OPM did not immediately respond to requests for comment from WIRED.

Got a Tip?

Are you a current or former government employee who wants to talk about what's happening? We'd like to hear from you. Using a nonwork phone or computer, contact the reporter securely on Signal at makenakelly.32.

In order to conduct RIFs, government HR officials are required to create lists ranking employees who may be subject to firings. AutoRIF does that automatically, a former government HR official tells WIRED. “However, even with the use of any automated system, the OPM guidance says all data has to be confirmed manually and that employees (or their representative) are allowed to examine the registers.” It’s not immediately clear if AutoRIF’s capabilities have been altered either by the Defense Department or DOGE.

The revelation that DOGE is working on AutoRIF comes as it seemingly prepares for its second major round of firings. On Saturday evening, government workers

received yet another email purportedly from OPM demanding that they reply detailing what they accomplished in the last week. Some agencies, like the FBI, asked that employees not respond to the message. In a meeting with HR officials on Monday, OPM told agencies they could ignore the email.

In these emails, government workers were asked to lay out five bullet points explaining their top work achievements of the last week. On Monday, NBC News reported that this information would be fed into an unspecified large language model that would assess whether an employee was necessary.

Before the first round of probationary firings, Centers for Disease Control managers were tasked with marking workers they deemed as “mission critical” and then sending a list of them up the chain of command ahead of firings, a CDC source tells WIRED.

“CDC went through a very, very deliberate effort to characterize our probationary employees as mission critical or not, and that way we could keep those that would have real impacts to the mission should they get terminated,” they say. “None of that was taken into account. They just sent us a list and said, ‘Terminate these employees effective immediately.’”

You Might Also Like ...

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- **Big Story:** A crypto crimefighter's descent into Nigerian prison
- I dated multiple AI partners at once. It got real weird
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Exhibit F

Mass Federal Firings May Imperil Crops, Cattle and Pets

The terminations, which hit agencies involved in protecting the nation's food supply and agricultural products, could have long-lasting consequences, experts said.

▶ Listen to this article · 9:15 min [Learn more](#)



By Emily Anthes and Apoorva Mandavilli

Feb. 26, 2025 Updated 9:09 a.m. ET

Shortly after taking office for the second time, President Trump began making deep cuts to agencies and programs that play critical roles in human health, slashing funding for medical research, halting global health aid and firing scores of workers at the Centers for Disease Control and Prevention.

But the campaign to downsize government, which has been led by Mr. Trump and Elon Musk, has also hollowed out agencies and programs devoted to protecting plant and animal health. The recent wave of mass firings hit federal workers responding to the nation's growing bird flu outbreak, protecting crops from damaging pests and ensuring the safety of pet food and medicine, among other critical duties.

Although the government has since rescinded some of these firings, the terminations — combined with a federal hiring freeze and buyout offers — are depleting the ranks of federal programs that are already short on employees and resources, experts said.

The damage could be long-lasting. Workers whose jobs were spared said that the upheaval had left them eyeing the exits, and graduate students said they were reconsidering careers in the federal government. The shrinking work force could also have far-reaching consequences for trade and food security and leave the nation unequipped to tackle future threats to plant and animal health, experts said.

“These really were indiscriminate firings,” said John Ternest, who lost his job at the U.S. Department of Agriculture, where he was preparing to conduct studies on honeybee health and crop pollination. “We don’t know what we’ve lost until it’s potentially too late.”

Plant and animal inspectors

The most recent wave of firings focused on the roughly 200,000 “probationary” employees across the federal government, who had fewer job protections because they were relatively new to their positions. (For some roles, the probationary period can be as long as three years, and it can also reset when longtime employees are promoted.)

The exact size and scope of the job losses remain unclear, and the U.S.D.A. did not answer questions about the number of workers who had been terminated or reinstated at several of its agencies.

But in an emailed statement, a U.S.D.A. spokesman said that Brooke Rollins, the new secretary of agriculture, “fully supports President Trump’s directive to optimize government operations, eliminate inefficiencies and strengthen U.S.D.A.’s ability to better serve American farmers, ranchers and the agriculture community.”

Reports suggest that the department has lost thousands of employees.

That includes roughly 400 people who worked in its Animal and Plant Health Inspection Service, according to one U.S.D.A. official who asked not to be named for fear of retaliation. The plant protection and quarantine program within APHIS

was especially hard hit, losing more than 200 employees, including agricultural inspectors, entomologists, taxonomists and even tree climbers who surveyed for pests, the official said.

Some of the fired workers were responsible for combating invasive, plant-killing insects, such as the Asian long-horned beetle, within the nation's borders. Others worked to ensure that agricultural products entering and exiting the country were free of pests and pathogens. Exotic fruit flies pose a particular risk to American agriculture, including the citrus and berry industries.

The terminations are already causing import delays at the nation's ports, according to the U.S.D.A. official. Over the longer term, if agricultural pests and pathogens found their way into the country, they could infest the nation's homegrown crops, threatening food security and reducing demand for American agricultural products abroad.

"If the United States gets a reputation for having dirty products, does that mean other countries will also, you know, step in and say, 'Hey, we don't want to buy your goods'?" the official said.



U.S.D.A. workers with the agency's eradication program to combat the invasive Asian long-horned beetle's spread in West Babylon, N.Y. Bryan Thomas for The New York Times

The firings also hit the agency's veterinary services program, which inspects imported livestock for disease and plays a key role in the nation's bird flu response, said Dr. Joseph Annelli, the executive vice president of the National Association of Federal Veterinarians.

The U.S.D.A. has quickly rehired some of the employees who were involved in the bird flu response, suggesting that their firings had been a mistake. But even before the recent terminations, the government was short on veterinarians, Dr. Annelli said. "There has not been adequate staffing for at least 10 years," he said. "We need more veterinarians, not less."

The agency was in the midst of hiring additional people to assist with the bird flu response, Dr. Annelli said, but the federal hiring freeze put that process on hold.

The workers who remain are nervous about the long-term stability of their jobs. "I'm not very optimistic," said one current veterinary services employee, who requested anonymity to avoid retaliation and has already applied for another position outside the U.S. government.

Agricultural scientists

Roughly 800 people, including the leaders of laboratories, were also fired across the Agricultural Research Service, the in-house scientific agency at the U.S.D.A., according to a department official who was not authorized to discuss the matter and spoke on the condition of anonymity.

The firings brought a wide range of research projects to an abrupt halt and left the technicians and the students who worked in these labs in limbo.

One New York lab was in the middle of investigating a potential outbreak of late blight, a potato disease, when the lead scientist was fired, said Isako Di Tomassi, a graduate student at Cornell University who worked in the lab. Potato samples from

a large, commercial farm are now locked up in the shuttered lab, “untouched and untested,” Ms. Di Tomassi said.

Scientists and statisticians working in the U.S. Meat Animal Research Center in Nebraska, which studies livestock genetics and breeding, were also terminated, including those working on research projects in food safety and salmonella testing. The firings have led to objections from Nebraska’s Republican congressional delegation and industry groups.

“We understand and respect the federal government’s desire to cut wasteful spending, but the truth of the matter is, U.S. MARC does not fall in that category,” the Nebraska Cattlemen Association said in a statement. The work being done at the center, the statement continued, “has potential to reduce costs for the beef industry long term and improve food safety for consumers.”

Some — but not all — of the agency’s scientists were reinstated this week. Still, the mass firings could do lasting reputational damage to the agency, they said.

“I think that people that want to earnestly do science are going to be viewing and remembering these decisions and how scientists are being treated,” said one agricultural researcher who was fired and then rehired and requested anonymity to protect the job.

In interviews, several graduate students in agricultural science said that they were no longer sure whether they could build research careers in the federal government.

“My future as a scientist seems very uncertain right now,” Ms. Di Tomassi said.

“Getting a federal scientist position is a big deal,” she added. “It’s not easy to do, and all of that investment is now being let go.”



The C.D.C.'s headquarters in Atlanta. Alyssa Pointer for The New York Times

Animal health regulators

Although the Centers for Disease Control and Prevention primarily concerns itself with human health, the agency also aims to prevent zoonotic diseases, including by regulating the entry of animals — particularly those than can carry pathogens — into the United States.

For example, the agency does not permit dogs that have recently been in countries with a high prevalence of rabies to enter the United States unless they have been vaccinated against the disease. C.D.C. officers also examine animals at port stations, and isolate or quarantine those exposed to dangerous pathogens.

But the Trump administration recently dismissed about half of the C.D.C. employees at the agency's 20 port health stations, leaving some stations entirely unattended.

Calls to the port station in San Juan, P.R., last week were rerouted to the station in Miami, where a C.D.C. employee who declined to be identified said that no one would be at the San Juan post “for a very long time.”

Workers were also fired from the Food and Drug Administration’s Center for Veterinary Medicine. Among those affected were employees reviewing data on novel animal medicines and working to ensure that pet food and animal feed were free of contaminants.

Those teams were already short-staffed, said two fired employees, who asked not to be identified because they are appealing their terminations. They worried that the losses could slow down the approval of new animal drugs and even cause dangerous products to fall through the cracks.

“It’s a gap in the safety structure,” one of the employees said. “They’re big challenges and there’s no one else to take it on. That’s the job of government.”

Linda Qiu contributed reporting.

Emily Anthes is a science reporter, writing primarily about animal health and science. She also covered the coronavirus pandemic. More about Emily Anthes

Apoorva Mandavilli reports on science and global health, with a focus on infectious diseases, pandemics and the public health agencies that try to manage them. More about Apoorva Mandavilli

Exhibit G



PART OF STATES NEWSROOM

GOVERNMENT

SUSTAINABILITY

WORKING + THE ECONOMY

More than a dozen NPS workers fired from Lake Mead as part of mass federal workforce purge

BY: JENIFFER SOLIS - FEBRUARY 25, 2025 4:51 AM



(Photo: NPS/Lake Mead National Recreation Area/Andrew Cattoir)

More than a dozen federal workers at Lake Mead National Recreation Area were among those fired last week as part of the Trump administration's move to terminate all recent hires across federal agencies.

Park rangers, engineers, ecologists, maintenance workers, and cultural resource staff were among at least 13 federal workers

terminated from the Lake Mead National Recreation Area during the three-day Presidents' Day weekend.

On the eve of that weekend, the Trump administration fired thousands of federal workers still in their probationary period, which at the National Park Service is one year. Probationary federal workers don't have the same job protections as employees who have been in their roles for longer. All federal workers start new roles on a probationary status.

There is no official estimate of the number of [federal workers fired](#) in Nevada following the Trump administration's push to slash the federal workforce, or what job they performed. The effects on other key government agencies also remains uncertain.

Lake Mead National Recreation Area was the ninth most-visited recreation park in the National Park Service in 2023, with about 5.8 million visitors. The recreation area produced an estimated \$358 million in economic impact that year.

Now the heavily visited lake has lost at least 13 National Park Service employees who provided vital services for the public, a move by the White House that could threaten public health, visitor safety, and recreation access, while curtailing economic activity.

Nevada's federal workers perform crucial jobs, many of which are no longer being done because of the firings. Several roles impacted by the indiscriminate mass-firings of government employees can't be easily replaced or picked up by remaining employees.

Riley Rackliffe, an aquatic ecologist, was part of a two-person team that monitored bacteria, water-borne illnesses, toxic algae, and economically destructive invasive species for the Lake Mead National Recreation Area before he was abruptly terminated.

On Feb. 14, Rackliffe opened an email telling him he was out of a job, alongside other workers still in their probationary period. On a personal level, Rackliffe lost his dream job. Professionally, Rackliffe said the news could have major ramifications for the recreation area.

Lake Mead requires testing for potentially lethal toxins produced by blue-green algae, which grows on the lake nearly every summer. Without monitoring, visitors could unknowingly swim where the algae is most concentrated.

"I was the guy that took those samples and measured the toxin loads. I was out there once a week monitoring that as it progressed

to Lake Mohave. We actually just lifted the health advisory last week. The day before I got fired, we lifted that health advisory,” Rackliffe said, adding there’s only one technician to perform that work now.

The week Rackliffe was fired, he secured a \$20,000 grant from the Western National Parks Association to study fecal bacteria at the popular Arizona Hot Springs, which has repeatedly exceeded what’s considered safe in recent years.

“I had just purchased the water test kits to do the study. In all likelihood, the \$3,000 of kits will get stuck in a closet while they expire,” Rackliffe said.

“Who knows what will happen to that money? It just feels so wasteful. If they had given me a little notice, a week, a few days? I could have helped transition projects on to the remaining staff. Instead, they yanked the plug in the middle and destroyed months of planning,” he continued.

The National Park Service and the Lake Mead Recreation Area did not respond to questions about how many people were fired, or respond to questions about public safety.

Trump and his allies, including Tesla CEO Elon Musk, who is leading the newly formed Department of Government Efficiency, have framed the terminations as a way of reducing waste in the federal government.

Cortez Masto and Sen. Jacky Rosen have both sent multiple letters to federal departments seeking data on how many Nevadans have been fired and from what jobs, but with little response from Trump administration officials.

“Federal employees in Nevada help keep our communities safe, welcome visitors to our public lands and parks, and deliver services to our veterans – firing these critical workers will not make Nevada safer or lower costs,” said Nevada Sen. Catherine Cortez Masto in response to the terminations. “The Trump Administration has offered zero transparency during their chaotic first month, and I’m going to continue calling on them to provide Nevadans with real answers.”

The Lake Mead Recreation Area was also planning to start multiple projects in June to extend boat launch ramps across the park, as lower lake levels threaten boating access. But after the recently

hired engineers slated to work on the projects were fired, that work will likely be halted, said Rackliffe.

Rackliffe said the Lake Mead Recreation Area was instructed not to award any contracts over \$50,000 through September, a move that will likely stall any large park improvement projects for the year.

"If we could extend those launch ramps, we could keep them open, but we just lost our engineers. We had money to extend those boat ramps. We had the money. We had the engineers. Now we've lost it," Rackliffe said.

Rackliffe taught biology at Purdue University in Indiana before uprooting his family across the country to join the National Park Service 11 months ago. He was 25 days away from completing his one year probationary period to become a permanent staff member, a simple title shift that could have spared him.

"Nobody that knew me was involved in the decision to fire me. It was all done upper level. They fired everybody that had been there less than a year," Rackliffe said.

A week before he was terminated, Rackliffe suspected he might be cut when he and his coworkers were given an offer to resign by the Office of Personnel Management. He knew he was on a list of probationary employees requested by the federal office, but hoped his good performance and role in health and safety might be enough reason to keep him.

In his termination email, Rackliffe was told his "skills, knowledge and attributes didn't match the needs of the department."

"It's kind of insulting. Why couldn't they say they were firing us because they needed to balance the budget? Or they were trying to save money, or because priorities have shifted in Washington? All of those would be more honest."

Nevada's Great Basin National Park also [lost 20% of its staff](#) on Valentine's Day, when five recently hired park rangers were terminated.

"There's a lot of uncertainty there, where you're like 'Are they just going to fire everybody?' We still don't know. There's a lot of rumors about more fires coming, but we don't know," Rackliffe said.

Public losing access to nation's history

Emily Elizabeth Moran, a Henderson resident who worked as an archivist for the National Park Service, got her termination letter at 4pm on Friday Feb. 14. She was one of several probationary cultural resource staff terminated in Nevada.

In the long term, Moran said the abrupt termination has upended her career goals. In the more immediate term, it leaves her with rent to pay for, future healthcare to figure out, and uncertainty about what comes next.

“There’s no way to get around the immense financial and emotional impact this has taken,” Moran said.

Moran supported archive work for 12 National Park Service sites, including the Death Valley National Park, the Great Basin National Park, the Lake Mead National Recreation Area, and Tule Springs Fossil Bed.

Federal archivists preserve museum collections, historical photos, videos, and records that the public can access for everything from documentaries to drought and medical research.

“That’s where our credible sources and our evidence comes from. Without those, everything is just hearsay. Archives are necessary for democracy,” Moran said.

Prior to being hired as a term employee 10 months ago, Moran worked with the National Park Service on a contractual basis. But with hiring freezes, funding freezes, and staff cuts, it’s unclear who will pick up her work, if anyone.

“This idea that we can take shortcuts for things as important as our nation’s records is unacceptable. It was unacceptable before these cuts, and it’s only going to get worse,” Moran said.

“We’ve got really fragile materials that need attention. I mean, we already needed better funding and housing for audio and visual materials. A lot of the museum objects we have are very fragile, and we’re afraid of losing those,” Moran said.

Some research data and archival records housed with the National Park Service can be found nowhere else.

“I’m concerned that years and years of research data is going to be lost, and that we’re going to lose our parks,” she continued. “What’s happening to this staff right now is unprecedented.”

Cortez Masto's office said the senator is encouraging Nevadans impacted by the federal funding freeze and federal firings to reach out [directly to her office](#).

GREAT BASIN NATIONAL PARK LAKE MEAD NATIONAL RECREATION AREA
OFFICE OF PERSONNEL MANAGEMENT

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POLICY, POLITICS AND COMMENTARY

Exhibit H

POLITICS

Federal technology staffers resign rather than help Musk and DOGE

BY BRIAN SLODYSKO AND BYRON TAU

Updated 12:48 PM PST, February 25, 2025

WASHINGTON (AP) — More than 20 civil service employees resigned Tuesday from billionaire Trump adviser Elon Musk's [Department of Government Efficiency](#), saying they were refusing to use their technical expertise to "dismantle critical public services."

"We swore to serve the American people and uphold our oath to the Constitution across presidential administrations," the 21 staffers wrote in a joint resignation letter, a copy of which was obtained by The Associated Press. "However, it has become clear that we can no longer honor those commitments."

The employees also warned that many of those enlisted by Musk to help him slash the size of the federal government under President [Donald Trump's](#) administration were political ideologues who did not have the necessary skills or experience for the task ahead of them.

The mass resignation of engineers, data scientists, designers and product managers is a temporary setback for Musk and the Republican president's [tech-driven purge of the federal workforce](#). It comes amid a flurry of court challenges that have sought to stall, stop or unwind their efforts to fire or coerce [thousands of government workers](#) out of jobs.

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In a statement, White House press secretary [Karoline Leavitt](#) was dismissive of the mass resignation.

"Anyone who thinks protests, lawsuits, and lawfare will deter President Trump must have been sleeping under a rock for the past several years," Leavitt said. "President Trump will not be deterred from delivering on the promises he made to make our federal government more efficient and more accountable to the hardworking American taxpayers."

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Musk posted on his social media site X that the story was "fake news" and suggested that the staffers were "Dem political holdovers" who "would have been fired had they not resigned."

The staffers who resigned had worked for the [United States Digital Service](#), but said their duties were being integrated into DOGE. Their former office, the USDS, was established under President Barack Obama after the botched rollout of Healthcare.gov, the web portal that millions of Americans use to sign up for insurance plans through the Democrat's signature health care law.

All previously held senior roles at such tech companies as Google and Amazon and wrote in their resignation letter that they joined the government out of a sense of duty to public service.

Trump's empowerment of Musk upended that. The day after [Trump's inauguration](#), the staffers wrote, they were called into a series of interviews that foreshadowed the secretive and disruptive work of Musk's' Department of Government Efficiency, or DOGE.

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According to the staffers, people wearing White House visitors' badges, some of whom would not give their names, grilled the nonpartisan employees about their qualifications and politics. Some made statements that indicated they had a limited technical understanding. Many [were young and seemed guided by ideology](#) and fandom of Musk — not improving government technology.

"Several of these interviewers refused to identify themselves, asked questions about political loyalty, attempted to pit colleagues against each other, and demonstrated limited technical ability," the staffers wrote in their letter. "This process created significant security risks."

Earlier this month, about 40 staffers in the office were laid off. The firings dealt a devastating blow to the government's ability to administer and safeguard its own technological footprint, they wrote.

"These highly skilled civil servants were working to modernize Social Security, veterans' services, tax filing, health care, disaster relief, student aid, and other critical services," the resignation letter states. "Their

removal endangers millions of Americans who rely on these services every day. The sudden loss of their technology expertise makes critical systems and American's data less safe."

Roughly one-third of the 65 staffers who remained at USDS quit on Tuesday rather than take on new duties under DOGE.

"We will not use our skills as technologists to compromise core government systems, jeopardize Americans' sensitive data, or dismantle critical public services," they wrote. "We will not lend our expertise to carry out or legitimize DOGE's actions."

The slash-and-burn effort Musk is leading diverges from what was initially outlined by Trump during the 2024 presidential campaign. DOGE, a nod to Musk's favorite cryptocurrency meme coin, was initially presented as a blue-ribbon commission that would exist outside government.

After the election, however, Musk hinted there was more to come, posting to his social media site, X, "Threat to democracy? Nope, threat to BUREAUCRACY!!!" He has leaned aggressively into the role since.

Last week he stood on stage at the Conservative Political Action Conference gathering outside Washington, where he boasted of his exploits and hoisted a blinged-out, [Chinese-made chainsaw](#) above his head that was gifted by Argentinian President [Javier Milei](#).

"This is the chainsaw for bureaucracy," Musk bellowed from the stage.

Still, Musk has tried to keep technical talent in place, with the bulk of the layoffs in the Digital Service office focused on people in roles like designers, product managers, human resources and contracting staff, according to interviews with current and former staff.

Of the 40 people let go earlier this month, only one was an engineer — an outspoken and politically active staffer name Jonathan Kamens, who said in an interview with the AP that he believes he was fired for publicly endorsing Vice President [Kamala Harris](#), a Democrat, on his personal blog and being critical of Musk in chats with colleagues.

"I believe that Elon Musk is up to no good. And I believe that any data that he gains access to is going to be used for purposes that are inappropriate and harmful to Americans," Kamens said.

U.S. Digital Service veterans, who spoke on the condition of anonymity out of fear of reprisal, recalled experiencing a similar sort of shock about how government processes worked that Musk and his team are

discovering. Over time, many developed an appreciation for why certain things in government had to be treated with more care than in the private sector.

“Move fast and break things” may be acceptable to someone who owns a business and owns the risk. And if things don’t go well, the damage is compartmentalized. But when you break things in government, you’re breaking things that belong to people who didn’t sign up for that,” said Cordell Schachter, who until last month was the chief information officer at the U.S. Department of Transportation.

USDS was established over a decade ago to do things like improving services for veterans, and it helped create a free government-run portal so tax filers did not have to go through third parties like TurboTax. It also devised systems to improve the way the federal government purchased technology.

It has been embroiled in its fair share of bureaucracy fights and agency turf wars with chief information officers across government who resented interlopers treading in their agency’s systems. USDS’ power across government stemmed from the imprimatur of acting on behalf of the White House and its founding mission of improving service for the American people.

Leavitt, the White House press secretary, is one of three administration officials who face a lawsuit from The Associated Press on first- and fifth-amendment grounds. The AP says the three are punishing the news agency for editorial decisions they oppose. The White House says the AP is not following an executive order to refer to the Gulf of Mexico as the Gulf of America.

Associated Press video journalist Rodrique Ngowi contributed from Boston.

Contact AP's global investigative team at Investigative@ap.org or <https://www.ap.org/tips/>.



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Exhibit I



February 25, 2025

Dear Susan Wiles¹,

We, the undersigned employees of the United States Digital Service (USDS), renamed the United States DOGE Service, have resigned from our respective positions.

As civil servants, we remained committed throughout the Presidential Transition to delivering better government services through technology and stood ready to partner with incoming officials. Each of us left senior private sector technology positions to pursue nonpartisan public service. We swore to serve the American people and uphold our oath to the Constitution across presidential administrations. However, it has become clear that we can no longer honor those commitments at the United States DOGE Service.

On January 21st, we completed 15-minute interviews with individuals wearing White House visitor badges. Several of these interviewers refused to identify themselves, asked questions about political loyalty, attempted to pit colleagues against each other, and demonstrated limited technical ability. This process created significant security risks.

On February 14th, one-third of our USDS colleagues were indiscriminately terminated by an anonymous email. These highly skilled civil servants were working to modernize [Social Security](#), [veterans' services](#), [tax filing](#), healthcare, disaster relief, student aid, and other critical services. Their removal endangers millions of Americans who rely on these services every day. The sudden loss of their technology expertise makes critical systems and Americans' data less safe.

On February 16th, DOGE representatives began integrating us into their efforts. DOGE's actions—firing technical experts, mishandling sensitive data, and breaking critical systems—contradict their stated mission of “modernizing Federal technology and software to maximize governmental efficiency and productivity”. These actions are not compatible with the mission we joined the United States Digital Service to carry out: to deliver better services to the American people through technology and design.

We will not use our skills as technologists to compromise core government systems, jeopardize Americans' sensitive data, or dismantle critical public services. We will not lend our expertise to carry out or legitimize DOGE's actions.

¹ No one has been identified internally as the official Administrator or leader of the United States DOGE Service since being moved from OMB. According to EO 14158 the White House Chief of Staff is the Senior Accountable Official.

We did not accept the “fork in the road” Deferred Resignation Program. Many of our colleagues will choose to stay and continue the vital work of making government services and technology better. They have our full support in the work ahead.

Respectfully, we resign.

Engineer, USDS

Engineer - Data Scientist, USDS

Engineer - Data Scientist, USDS

Product Manager, USDS

Designer, USDS

Designer, USDS

Designer, USDS

Designer, USDS

Operations, USDS

Operations, USDS
